

REMARKS

Favorable reconsideration of the present application is respectfully requested.

The non-elected claims have been cancelled without prejudice to the filing of a divisional application directed thereto.

Claims 19-24 have also been cancelled. Claim 25 has been rewritten in independent form. In doing so, Claim 25 has been further amended to recite that the disc shaped radial vanes are “fixed to” a tip portion of the handle of the toothbrush. Basis for this is found at lines 20-22 of page 25. By virtue of this, they do not rotate on the handle, and so brushing is manually done by movement of the handle in the axial direction thereof.

In such a brush, the bristle density in the axial direction must not be too high, since this can cause gum pain and other problems (see paragraph [0011]). According to the present invention, by mounting the bristles of the radial vanes on a weld portion of the radial vanes, the weld portion having a through hole through which a tip portion of a handle of the toothbrush penetrates, the bristle density in the axial direction can be controlled by the weld portion (see paragraph [0017]). For example, the weld portion can include a protrusion to control the bristle density.

Claim 25 was rejected under 35 U.S.C. § 102 as being anticipated by U.S. patent 5,035,020 (Winiewski). However, it is respectfully submitted that amended Claim 25 defines over this prior art.

Winiewski discloses a cylindrical brush head which is rotatably driven by an electric motor in a rotary toothbrush. The rotatable brush head is not “fixed to” the brush handle, and so amended Claim 25 distinguishes over this reference.

Indeed, Winiewski has no relation to the invention as presently claimed. As already mentioned, a toothbrush wherein the brush head is fixed to the tip portion of the handle is not used by rotating the brush, but by reciprocating the brush in the axial direction. The

problems related to a brush of this type, e.g., possibly excessive bristle density in the axial direction, do not apply to electric toothbrushes such as Winiewski in which the bristles are rotated by an electric motor. Accordingly, the invention is believed to clearly distinguish over Winiewski.

Claim 25 was also rejected under 35 U.S.C. § 103 as being obvious over Winiewski in view of Japanese patent publication 10-337295. However, JP '295 also discloses a rotary toothbrush in which the toothbrush head is mounted to the handle for rotation via a motor: the brush head is not fixed to the tip portion of the handle. Accordingly, JP '295 could provide no teaching for overcoming the shortcomings of Winiewski with respect to the amended claims.

Dependent Claims 26-28 were rejected under 35 U.S.C. § 103 as being obvious over Winiewski in view of U.S. patent 6,477,729 (Ben-Ari), which was cited to teach a weld portion including a protrusion. However, the bristles 18 of Ben-Ari are also rotatably mounted to the toothbrush handle, and so this reference is similarly incapable of overcoming the shortcomings of Winiewski with respect to the amended claims.

Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

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